

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 21 are pending, with Claims 1, 11, and 21 being independent.

Claims 11 through 20 were withdrawn from consideration. Claims 1 and 21 have been amended.

The specification and Abstract have been amended.

REQUEST RE FORM PTO-1449

The Official Action relies upon U.S. Patent No. 7,379,080 B2 in a rejection discussed below, but has not listed that document on a Form PTO-892. Hence, Applicants have listed the same on a Form PTO-1449 attached hereto so that the document can be made of record, and respectfully ask that the Examiner return the form to confirm consideration of the cited document.

FURTHER REMARKS

Claim 1 was rejected under the judicially-created doctrine of non-statutory obviousness-type double patenting over Claim 1 of U.S. Patent No. 7,379,080 B2. All rejections are respectfully traversed, and are submitted to have been obviated by the filing herewith of a Terminal Disclaimer making reference to that patent.

Claims 1 and 21 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite. All rejections are respectfully traversed, and are submitted to have been obviated by the amendment of the claims in a manner earnestly believed to avoid the grounds of rejection.

Claims 1 through 10 and 21 were rejected under 35 U.S.C. § 103 over US 6,014,195 (Sakamoto, et al.) in view of US 2001/0004296 A1 (Van Aerle, et al.). All rejections are respectfully traversed.

Claims 1 and 21 recite, *inter alia*, applying to the first sub-pixel... in a range in which a chromatic color... changes, and applying to the second sub-pixel... in a range within which a brightness of light... is variable, the second sub-pixel having a color filter.

However, Applicants respectfully submit that neither Sakamoto, et al. nor Van Aerle, et al., even in the proposed combination, assuming, *arguendo*, that such could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 21.

The Official Action acknowledges that Sakamoto, et al. lacks the color filter and thus relies upon Van Aerle, et al. Applicants respectfully traverse such reliance. Applicants respectfully submit that, to the contrary, Sakamoto, et al. states, e.g., that it was difficult to provide a reflection type color LCD device using a color filter and recently ECB type color LCD apparatuses *which use no color filters* can present a sufficiently bright display (e.g., col. 1, lines 15-25); i.e., in Applicants' view, Sakamoto, et al. *fears* decreasing the optical efficiency by using a color filter, and thus the artisan would *not* have ever conceived of attempting to modify Sakamoto, et al. using a filter from Van Aerle, et al. as proposed by the Official Action. Meanwhile, Applicants respectfully submit that Van Aerle, et al. discloses, e.g., a green color filter, but does not have sub-pixels as claimed, and thus there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features. Also, the taking of Official Notice is traversed in the absence of a cited reference. MPEP 2144.03.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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